



COPY OF PAPERS  
Attorney's Docket No. 005641.P001  
ORIGINALLY FILED

PATENT

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JAN 14 22 2002  
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DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

I, [redacted] a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

TRANSACTIONS USING A RE-PROGRAMMABLE DATA CARD

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the specification of which

JAN 14 2002

X is attached hereto.  
was filed on (MM/DD/YYYY) April 17, 2001 Technology Center as  
United States Application Number 09/837,115  
or PCT International Application Number \_\_\_\_\_  
and was amended on (MM/DD/YYYY) \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above.

I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>			<u>Priority Claimed</u>
<u>Number</u>	<u>Country</u>	<u>(Foreign Filing Date - MM/DD/YYYY)</u>	<u>Yes</u> <u>No</u>
_____	_____	_____	_____
_____	_____	_____	_____

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

<u>Application Number</u>	<u>(Filing Date – MM/DD/YYYY)</u>
<u>Application Number</u>	<u>(Filing Date – MM/DD/YYYY)</u>

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number	(Filing Date – MM/DD/YYYY)	Status -- patented, pending, abandoned
Application Number	(Filing Date – MM/DD/YYYY)	Status -- patented, pending, abandoned

I hereby appoint the persons listed on Appendix A hereto (which is incorporated by reference and a part of this document) as my respective patent attorneys and patent agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

Send correspondence to Stephen M. De Klerk, BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP, 12400 Wilshire Boulevard, 7th Floor, Los Angeles, California, 90025, and direct telephone calls to Stephen M. De Klerk, (408) 720-8300.  
(Name of Attorney or Agent)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole/First Inventor Jorge Fernandes

Inventor's Signature J.F. Date Nov. 28 2001

Residence Los Altos Hills, California Citizenship U.S.A.  
(City, State) (Country)

Post Office Address 11871 Hilltop Drive  
Los Altos Hills, California 94024

Full Name of Second/Joint Inventor Kerry Brown

Inventor's Signature Kerry Brown Date Nov 28 2001

Residence San Mateo, California Citizenship U.S.A.  
(City, State) (Country)

Post Office Address 1764 Hamlet Street  
San Mateo, California 94403

## APPENDIX A

Ramin Aghevli, Reg. No. 43,462; William E. Alford, Reg. No. 37,764; Farzad E. Amini, Reg. No. 42,261; William Thomas Babbitt, Reg. No. 39,591; Jordan Michael Baker, Reg. No. 39,602; Michael A. Bernadicou, Reg. No. 35,934; Roger W. Blakely, Jr., Reg. No. 25,831; R. Alan Burnett, Reg. No. 46,149; Gregory D. Caldwell, Reg. No. 39,926; Jae-Hee Choi, Reg. No. 45,288; Thomas M. Coester, Reg. No. 39,637; Robert P. Cogan, Reg. No. 25,049; Donna Jo Coningsby, Reg. No. 41,684; Florin Corie, Reg. No. 46,244; Mimi Diemmy Dao, Reg. No. 45,628; Dennis M. deGuzman, Reg. No. 41,702; Stephen M. De Klerk, Reg. No. 46,503; Michael Anthony DeSanctis, Reg. No. 39,957; Daniel M. De Vos, Reg. No. 37,813; Justin M. Dillon, Reg. No. 42,486; Sanjeet Dutta, Reg. No. 46,145; Matthew C. Fagan, Reg. No. 37,542; Tarek N. Fahmi, Reg. No. 41,402; Thomas S. Ferrill, Reg. No. 42,532; George Fountain, Reg. No. 37,374; Andre Gibbs, Reg. No. 47,593; James Y. Go, Reg. No. 40,621; Melissa A. Haapala, Reg. No. 47,622; Alan Heimlich, Reg. No. 48,808; James A. Henry, Reg. No. 41,064; Libby H. Ho, Reg. No. 46,774; Willmore F. Holbrow III, Reg. No. 41,845; Sheryl Sue Holloway, Reg. No. 37,850; George W Hoover II, Reg. No. 32,992; Eric S. Hyman, Reg. No. 30,139; William W. Kidd, Reg. No. 31,772; Walter T. Kim, Reg. No. 42,731; Eric T. King, Reg. No. 44,188; Steve Laut, Reg. No. 47,736; George Brian Leavell, Reg. No. 45,436; Samuel S. Lee, Reg. No. 42791; Gordon R. Lindeen III, Reg. No. 33,192; Jan Carol Little, Reg. No. 41,181; Julio Loza, Reg. No. 47,758; Joseph Lutz, Reg. No. 43,765; Michael J. Mallie, Reg. No. 36,591; Andre L. Marais, Reg. No. 48,095; Paul A. Mendonsa, Reg. No. 42,879; Clive D. Menezes, Reg. No. 45,493; Richard A. Nakashima, Reg. No. 42,023; Stephen Neal Reg. No. 47,815; Chun M. Ng, Reg. No. 36,878; Thien T. Nguyen, Reg. No. 43,835; Thinh V. Nguyen, Reg. No. 42,034; Robert B. O'Rourke, Reg. No. 46,972; Daniel E. Ovanezian, Reg. No. 41,236; Gregg A. Peacock, Reg. No. 45,001; Marina Portnova, Reg. No. 45,750; Michael A. Proksch, Reg. No. 43,021; Randol W. Read, Reg. No. 43,876; William F. Ryann, Reg. 44,313; James H. Salter, Reg. No. 35,668; William W. Schaal, Reg. No. 39,018; James C. Scheller, Reg. No. 31,195; Jeffrey S. Schubert, Reg. No. 43,098; Saina Shamilov, Reg. No. 48,266; Maria McCormack Sobrino, Reg. No. 31,639; Stanley W. Sokoloff, Reg. No. 25,128; Judith A. Szepesi, Reg. No. 39,393; Ronald S. Tamura, Reg. No. 43,179; Edwin H. Taylor, Reg. No. 25,129; Lance A. Termes, Reg. No. 43,184; John F. Travis, Reg. No. 43,203; Kerry P. Tweet, Reg. No. 45,959; Mark C. Van Ness, Reg. No. 39,865; Tom Van Zandt, Reg. No. 43,219; Brent Vecchia, Reg. No. 48,011; Lester J. Vincent, Reg. No. 31,460; Archana B. Vittal, Reg. No. 45,182; Glenn E. Von Tersch, Reg. No. 41,364; John Patrick Ward, Reg. No. 40,216; Mark L. Watson, Reg. No. 46,322; Thomas C. Webster, Reg. No. 46,154; and Norman Zafman, Reg. No. 26,250; my patent attorneys, and Charles P. Landrum, Reg. No. 46,855; Suk S. Lee, Reg. No. 47,745; and Raul Martinez, Reg. No. 46,904; Brent E. Vecchia, Reg. No. 48,011; Lehua Wang, Reg. No. P48,023; my patent agents, of BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP, with offices located at 12400 Wilshire Boulevard, 7th Floor, Los Angeles, California 90025, telephone (310) 207-3800, and James R. Thein, Reg. No. 31,710, my patent attorney with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

## APPENDIX B

### Title 37, Code of Federal Regulations, Section 1.56 Duty to Disclose Information Material to Patentability

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) Prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office, or

(ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application;

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

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Attorney's Docket No.: 005641.P001

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JAN 22 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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re Patent Application of: )  
Jorge Fernandes, et al. )  
Application No.: 09/837,115 )  
Filed: April 17, 2001 )  
For: TRANSACTIONS USING A )  
RE-PROGRAMMABLE DATA )  
CARD )

Examiner: Not Yet Assigned

Art Unit: 2164

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JAN 14 2002

Technology Center 2100

Assistant Commissioner for Patents  
Washington, D.C. 20231

**STATEMENT OF FACTS BY JORGE FERNANDES AND**  
**KERRY BROWN UNDER 37 C.F.R. § 1.48(a)**

Dear Sir:

We hereby declare:

1. We are making this Statement of Facts under 37 C.F.R. § 1.48(a) in connection with U.S. Patent Application Serial No. 09/837,115 filed April 17, 2001 (hereinafter referred to as "the present patent application").

2. We are citizens of the United States of America and currently reside at the following addresses:

(a) Jorge Fernandes, having a residence address of 11871 Hilltop Drive, Los Altos Hills, California, 94024; and

(b) Kerry Brown, having a residence address of 1764 Hamlet Street, San Mateo, California, 94403.

Application No.: 09/837,115

- 1 -

Attorney's Docket No.: 005641.P001

3. The error was made by naming only Kerry Brown as a single inventor, rather than naming Jorge Fernandes and Kerry Brown as joint inventors.

4. The inventorship error was made without any deceptive intent whatsoever by anyone.

5. It is now requested that the additional inventor, Jorge Fernandes, be added to the present patent application.

6. It is also now requested that the inventors be listed in order so that Jorge Fernandes is the first inventor.

We declare that all statements made herein or my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: Nov 28, 2001

  
Jorge Fernandes

Dated: Nov 28, 2001

  
Kerry Brown

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ORIGINALLY FILED**



Attorney's Docket No.: 005641.P001

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Patent Application of:

Jorge Fernandes, et al.

Application No.: 09/837,115

Filed: April 17, 2001

For: TRANSACTIONS USING A  
RE-PROGRAMMABLE DATA  
CARD

Examiner: Not Yet Assigned

Art Unit: 2164

Assistant Commissioner of Patents  
Washington, DC 20231-9998

**ASSENT OF ASSIGNEE UNDER 37 C.F.R. § 3.73(B)**  
**FOR CORRECTION OF INVENTORSHIP**

Dear Sir:

Attached please find copies of the following title documents:

1. The Recordation of Assignment document that is currently on file with the U.S. Patent and Trademark Office from Kerry Brown to I-Borg, Inc.; and
2. The executed Assignment from I-Borg, Inc. to ViVOtech, Inc. The Assignment document is being submitted to provide evidence of chain of title for this application, and as evidence that Kerry Brown's interest now vests in ViVOtech, Inc.

Assignee, ViVOtech, Inc., a Delaware corporation having a place of business at 11871 Hilltop Drive, Los Altos Hills, California, 94024, does hereby assent to the correction of inventorship, the petition for which is filed herewith, which seeks to add Jorge Fernandes as an additional inventor in the above-referenced application. The

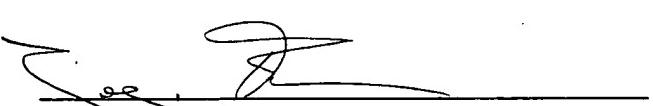
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Technology Center 2100

undersigned, Jorge Fernandes, CEO of ViVotech, Inc., does hereby declare, under penalty of perjury, that he is authorized by ViVotech, Inc. to make this Assent of Assignee for Correction of Inventorship.

Respectfully submitted,

Dated: Nov 28, 2001

  
Jorge Fernandes  
CEO  
ViVotech, Inc.

ENTERED

JUL 27 2001

STATUS DB-LA



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

PTAS  
BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP  
LISA N. BENADO  
12400 WILSHIRE BLVD., 7TH FLOOR  
LOS ANGELES, CA 90025

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\*101710800A\*

05641 POOL

JUL 27 2001 Jorge Fernandes E.K. Brown

LXB

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN  
UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 04/17/2001

REEL/FRAME: 011768/0202

NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNEE:

BROWN, KERRY

DOC DATE: 04/17/2001

ASSIGNOR:

I-BORG, INC.  
11871 HILLTOP DRIVE  
LOS ALTOS HILLS, CALIFORNIA 94024

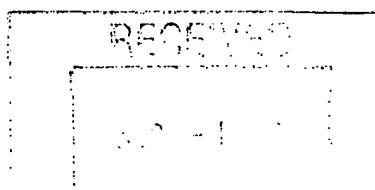
SERIAL NUMBER: 09837115

FILING DATE: 04/17/2001

PATENT NUMBER:

ISSUE DATE:

MARCUS KIRK, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



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J1017 U.S. 09/837115  
04/17/01RECORDATION FORM COVER SHEET  
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TO: The Commissioner of Patents and Trademarks : Please record the attached original document(s) or copy(ies).

## Submission Type

- New  
 Resubmission (Non- Recordation)

Document ID # \_\_\_\_\_

- Correction of PTO Error

Reel # \_\_\_\_\_ Frame # \_\_\_\_\_

- Corrective Document

Reel # \_\_\_\_\_ Frame # \_\_\_\_\_

Attorney Docket No: 004782.P001

## Conveyance Type

- Assignment  
 License  
 Merger

- Security Agreement  
 Change of Name  
 Other

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Technology Center 2100

## U.S. Government

(For Use ONLY by U.S. Government Agencies)

- Departmental File  Secret File

## Conveying Party (ies)



Mark if additional names of conveying parties attached

Execution Date

Month Day Year

04-17-01

Name (1st party) Kerry Brown

Name (2nd party) \_\_\_\_\_

Name (3rd party) \_\_\_\_\_

Name (4th party) \_\_\_\_\_



Mark if additional names of receiving parties attached



If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

## Receiving Party

Name (line 1) I-Borg, Inc.

Name (line 2) \_\_\_\_\_

Address (line 1) 11871 Hilltop Drive

Address (line 2) \_\_\_\_\_

Address (line 3) Los Altos Hills California/USA 94024  
City State/Country Zip Code

## Domestic Representative Name and Address

(Complete only if receiving party is not domiciled in the United States)

Enter for the first Receiving Party only.

Name \_\_\_\_\_

Address (line 1) \_\_\_\_\_

Address (line 2) \_\_\_\_\_

Address (line 3) \_\_\_\_\_

Address (line 4) \_\_\_\_\_

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05/09/2001 DBYRNE 00000307 022666 09837115

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Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:  
 Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

11017 U.S.  
09/03/15  
04/17/01

Correspondent Name and Address

Area Code and Telephone Number 425-827-8600

Name Lisa N. Benado

Address (line 1) BLAKELY SOKOLOFF TAYLOR & ZAFMAN, LLP

Address (line 2) 12400 Wilshire Blvd.

Address (line 3) 7th Floor

Address (line 4) Los Angeles, California 90025

Pages

Enter the total number of pages of the attached conveyance document.

# 2

Application Number (s) or Patent Number (s)

Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number (s)

Patent Number (s)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year

04-17-01

Patent Cooperation Treaty (PCT)

Enter PCT application number only if a  
U.S. Application Number has not been  
assigned.

PCT \_\_\_\_\_ PCT \_\_\_\_\_ PCT \_\_\_\_\_  
PCT \_\_\_\_\_ PCT \_\_\_\_\_ PCT \_\_\_\_\_

Number of Properties

Enter the total number of properties involved.

# 1

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41): \$ 40.00

Method of Payment:

Deposit Account

Enclosed

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number: # 02-2666

Authorization to charge additional fees: Yes  No

Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Lisa N. Benad

39,995

Name of Person Signing

Registration N .



Signature

April 17, 2001

Date

Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

Attorney's Docket

**A S S I G N M E N T**

**PATENT**

No.: 004782.P001 (For Execution Prior To Filing Patent Application)

In consideration of good and valuable consideration, the receipt of which is hereby acknowledged, I,,  
the undersigned, Kerry Brown,  
hereby sell, assign, and transfer to I-Borg, Inc.,  
a corporation of California, having a principal place of business at  
11871 Hilltop Drive, Los Altos Hills, CA 94024, ("Assignee"),  
and its successors, assigns, and legal representatives, the entire right, title, and interest for the  
United States and all foreign countries, in and to any and all improvements that are disclosed in  
the application for the United States patent that has been executed by the undersigned prior  
hereto or concurrently herewith on the dates indicated below and is entitled TRANSACTIONS  
USING A RE-PROGRAMMABLE DATA CARD,  
and in and to said application and all divisional applications, continuation applications,  
continued prosecution applications, continuation-in-part applications, substitute applications,  
renewal applications, reissue applications, reexaminations, extensions, and all other patent  
applications that have been or shall be filed in the United States and all foreign countries on  
any of said improvements; and in and to all original patents, reissued patents, reexamination  
certificates, and extensions, that have been or shall be issued in the United States and all  
foreign countries on said improvements; and in and to all rights of priority resulting from the  
filing of said United States application;

Agree that said Assignee may apply for and receive a patent or patents for said  
improvements in its own name; and that, when requested, without charge to, but at the  
expense of, said Assignee, its successors, assigns, and legal representatives, to carry out in  
good faith the intent and purpose of this Assignment, the undersigned will execute all divisional  
applications, continuation applications, continued prosecution applications, continuation-in-part  
applications, substitute applications, renewal applications, reissue applications, reexaminations,  
extensions and all other patent applications on any and all said improvements; execute all  
rightful oaths, assignments, powers of attorney, and other papers; communicate to said  
Assignee, its successors, assigns, and representatives all facts known to the undersigned  
relating to said improvements and the history thereof; and generally assist said Assignee, its  
successors, assigns, or representatives in securing and maintaining proper patent protection  
for said improvements and for vesting title to said improvements, and all applications for  
patents and all patents on said improvements, in said Assignee, its successors, assigns, and  
legal representatives; and

Covenant with said Assignee, its successors, assigns, and legal representatives that no  
assignment, grant, mortgage, license, or other agreement affecting the rights and property  
herein conveyed has been made to others by the undersigned, and that full right to convey the  
same as herein expressed is possessed by the undersigned.

SENT BY: BSTZ;

425 827 5644;

APR 11 1:16PM;

PAGE 3

**Each Inventor: Please Sign and Date Below:**APRIL 17, 2001

Date

Kerry Brown

Name: Kerry Brown

                , 20      

Date

                , 20      

Name:

                , 20      

Date

                , 20      

Name:

State of: \_\_\_\_\_

**Assignment Document Return Address:**

} SS. BLAKELY, SOKOLOFF, TAYLOR &amp; ZAFMAN LLP

County of: \_\_\_\_\_

12400 Wilshire Blvd., Seventh Floor

Los Angeles, CA 90025-1026

(425) 827-8600

On this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_, before me, \_\_\_\_\_  
 the undersigned Notary Public, personally appeared \_\_\_\_\_  
 \_\_\_\_\_ personally known to me [ ] proved to me on the basis of satisfactory evidence to be the  
 person(s) whose name(s) \_\_\_\_\_ subscribed to the within instrument, and acknowledged  
 that \_\_\_\_\_ executed it.  
 WITNESS my hand and official seal.

\_\_\_\_\_  
Notary's Signature

**Each Inventor: Please  
 also list the date that  
 you signed the  
 accompanying  
 DECLARATION AND  
 POWER OF  
 ATTORNEY:**

APRIL 17, 2001

Date

                , 20      

Date

**PLEASE SIGN  
 & DATE**